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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,956	12/07/1999	TAPIO HAMEEN-ANTTILA	4925-16	5781

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EXAMINER

WHITE, CARMEN D

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 09/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/455,956

Applicant(s)

HAMEEN-ANTTILA, TAPIO

Examiner

Carmen D. White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Line 15 of the claim recites "capable of being used". This language makes it difficult to ascertain the scope of the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 9, 13-20, 22, and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lobb** et al (5,810,680) in view of **Moriarty** et al (6,062,991).

Regarding claims 1, 3 and 24, Lobb discloses a system of transmitting sport data between a mobile terminal and a sport server the system including the following steps: establishing communication between the mobile terminal and the sport server via a communications network; inputting sport data into the mobile terminal; transmitting the inputted sport data from a mobile unit to a sport server via a public communications network (col. 8, line 1-26; col. 8, lines 59-67; col. 9; Fig. 2; Fig. 2A); and recording the

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data into a database (Lobb- col. 8, lines 59-67 through col. 9, lines 1-23; Fig. 2, Fig. 2A, abstract). While Lobb teaches that the mobile terminal could be used in conjunction with various other sports such as skiing, bicycling, etc., Lobb lacks teaching the inputting of a particular type of sport. It would have been obvious to a person of ordinary skill in the art to use the computerized sports data system of Lobb to input and store various types of sports information. The input means of the mobile unit of Lobb is functionally capable of allowing the user to input various types of information. Further, the examiner takes official notice that the use of computers to input and store data relating to various topics or subjects into different databases is well known in the art. This feature would increase the versatility of the mobile unit of Lobb. While Lobb teaches the transfer of the sports data from a mobile terminal to the sport server via a public communications network, Lobb is silent regarding this being a direct transmission and further regarding the feature of transmitting the sport data as it is input by the user. In an analogous sports data input system, Moriarty teaches the direct transmission of sports data from an input terminal as the data is input by the user {i.e. real time, after a hole} (see Figure 1, col. 2, lines 43-45 and lines 56-59 and col. 3, lines 1-8 and lines 47-48). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the features of direct transmission and input throughout the course of the sporting event (i.e. at each hole) to a sport server database as taught by Moriarty (Fig. 1, #200, #240) into the mobile terminal system of Lobb in order to obtain immediate feedback from the sport server regarding the updating of scores. This could

increase the accuracy of the Lobb system, whereby score discrepancies are resolved at each hole, throughout the game, and not at the end.

Regarding claim 2, Lobb and Moriarty teach all the limitations of the claims as discussed above. Lobb further teaches the determination of a geographical location of the mobile terminal (Lobb- abstract). Lobb further teaches the determination of fields into which to enter the sports data, depending on location (Fig. 10, #340).

Regarding claims 5, 9, 13-20, 25-29 and 31, Lobb in view of Moriarty discloses all the limitations of the claims as discussed above. Lobb further teaches the prompting of the users to input information (Lobb- col. 9, lines 14-17). Moriarty also teaches the feature of the prompting, by the server (club house computer) of sports input information from the user and the transfer of this information to the server (col. 2, lines 65-67 through col. 3, lines 1-8). While Lobb teaches that the mobile terminal could be used in conjunction with various other sports such as skiing, bicycling, etc., Lobb lacks the explicit teaching of the inputting of a particular type of sport. It would have been obvious to include this feature in Lobb as an obvious matter of choice well within Lobb's functional capabilities. This would merely involve including this feature in the software of the mobile terminal of Lobb. This feature would increase the versatility of the Lobb invention so that this device could be employed to store scores for various other types of sports.

Regarding claims 22 and 30, Lobb and Moriarty disclose all the limitations of the claims as discussed above. Lobb further teaches the feature of querying the sports

server for specific data from all data in the sports database using the mobile terminal connected to the sports server (Fig. 4).

Claims 4, 6-8, 10-12, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lobb** et al (5,810,680) in view of **Moriarty** et al (6,062,991), further in view of **Eiba** (6,117,013).

Regarding claims 4, 6-8, 10-12, 21 and 23, Lobb and Moriarty teach all the limitations of the claims as discussed above. Lobb further teaches a user database connected to the sport server for storing user data for each user having authority for inputting the sports data (col. 9, lines 1-13). While Lobb teaches the use of databases to store data input by each golfer via the mobile terminal, Lobb lacks disclosing a connection database for storing connection data for a plurality of different types of terminals that could be used as input devices and a means for determining a type of input device in communication with the sport server to determine display and communication parameters of the input device. In an analogous network gaming system, Eiba teaches the connection of a plurality of types of input devices to a public communication network (Fig. 1). While it is implied that Eiba has some means of distinguishing between the various input devices and transmitting data accordingly, Eiba is silent on the explicit disclosure of storing data pertaining to the different types of devices and determining a type of device in communication with the server. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate a connection database and the determination of the input device type into

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Eiba to ensure that data is transmitted in the most effective manner to all the different types of input devices.

Examiner's Response to Applicant's Remarks

Applicant argues that Lobb fails to teach that the sports data may be loaded directly from the mobile unit to the remote computer as it is being input. The examiner has cited Moriarty to better teach this feature. Moriarty teaches an input terminal for a sport that has direct connection with a club house database (sports server) in a real-time manner, after play at each hole (as it is being input).

Applicant further argues that Lobb does not contemplate that the database may be accessed by subscriber to determine the results of various matches and games. Applicant argues language that is different from that of the claim language. The examiner disagrees with Applicant. Lobb teaches that the game statistics (scores) are placed in a local and national database for subscribers (golfers) to obtain at a later time, from various locations.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmen D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers

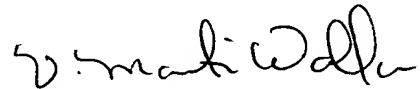
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for the organization where this application or proceeding is assigned are 703-308-7768 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.



C. White
Patent Examiner



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